

**COMMONWEALTH OF MASSACHUSETTS**

**DEPARTMENT OF TELECOMMUNICATION AND ENERGY**

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Investigation by the Department pursuant to Section 271	)	
of the Telecommunications Act of 1996 into the	)	DTE 99-271
Compliance Filing of New England Telephone and	)	
Telegraph Company d/b/a Bell Atlantic-Massachusetts	)	

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**MOTION FOR CONFIDENTIAL TREATMENT**

Pursuant to Paragraph 5 of the Protective Order adopted by the Department of Telecommunications and Energy (Department) in this proceeding on October 21, 1999, RNK Inc. d/b/a RNK Telecom (ARNK) hereby requests that the Department deem RNK's response to Record Request DTE-246 to be highly sensitive Confidential Information available for review only by the Department, and not by the participants in this proceeding. As grounds for this request, RNK states as follows:

In response to Record Request DTE-246, RNK has produced data consisting of all of RNK's claims for inaccurate resale bills rendered by Bell Atlantic-Massachusetts (Bell Atlantic) for RNK's Massachusetts customers. The information contained within the response contains RNK's customers' telephone numbers, amounts of their bills, amounts collected, RNK account numbers, types of service rendered, and other information that is highly confidential and competitively sensitive business information that must be protected under paragraph 5 of the Department's Protective Order, and G.L. c. 25, ' 5D. Information concerning RNK's customers and amounts of service would, if released, seriously harm RNK in that it would provide competitors of those carriers with valuable information regarding RNK's entry strategy, the customers themselves, and size of those customers' accounts, among other sensitive information. Such commercially confidential and competitively sensitive information is precisely the type of data that G.L. c. 25, ' 5D authorizes the Department to protect from public disclosure. This information is also akin to the carrier specific information protected by the Department in its Order in the *Consolidated Arbitrations*, D.T.E. 96-73/74, 96-75, 96-80/81, 96-83, and 96-84, protecting carrier-specific information contained within Bell Atlantic's performance standard reports, where the Department gave Competitive Local Exchange Carriers the option of disclosing the information relevant to their company. *See Hearing Officer Ruling on Bell Atlantic Motion for Protective Treatment of Performance Standards Reports* (October 21, 1999).

RNK here discloses this confidential information to the Department only to help the Department in its decision on Bell Atlantic's preparedness to enter the In-Region InterLATA market in Massachusetts, especially in the area of resale, Checklist Item #14 of Section 271 of the Telecommunications Act of 1996.

Accordingly, RNK respectfully requests that the Department grant this Motion and find that

the data provided in response to Record Request DTE-246 is highly sensitive Confidential Information, available for review only by the Department, and not by the participants in this proceeding.

Respectfully submitted, RNK Telecom,  
by its attorney,

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Douglas Denny-Brown  
General Counsel, RNK Telecom